

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI  
GREENVILLE DIVISION

**SAJADE WEBSTER, INDIVIDUALLY  
AND AS NATURAL MOTHER OF MINOR  
CHILDREN, T.S., J.G., AND JIMMY  
GREEN**

**Plaintiffs**

v.

**BUILDERS TRANSPORTATION CO.,  
LLC; ADARIUS JUAN BROWN,  
And John Doe Defendants, I-X.**

**Defendants**

**CIVIL ACTION FILE NO.**

4:21cv007-DMB-JMV

**COMPLAINT  
(JURY TRIAL DEMANDED)**

**COMES NOW**, Plaintiffs, Sajade Webster, Individually, and as Natural Mother of T.S. and J.G.; and Jimmy Green, by and through their attorneys of record, and file this, their Complaint, complaining of the above named Defendants, Builders Transportation, Co., LLC, Adarius Juan Brown, and John Does I-X. In support thereof, Plaintiffs would most respectfully show unto this Honorable Court the following, to-wit:

1. (a) Plaintiff Sajade Webster, is an adult resident citizen of Holmes County, Mississippi residing at 397 Baker Road, Lexington, MS 39095.
- (b) Plaintiff, Jimmy Green, is an adult resident citizen of Holmes County, Mississippi residing at 397 Baker Road, Lexington, MS 39095.
- (c) Plaintiffs, T. S., and J.G., are minors, and parties to this action, by and through

their Mother and Next Friend, Sajade Webster, an adult resident citizen of Holmes County residing at 397 Baker Road, Lexington, MS 39095.

(d) Defendant, Builders Transportation Company, LLC is a corporation, organized and incorporated in the state of Tennessee. Builders Transportation Company, LLC, has its principal place of business listed as 3710 Tulane Road, Memphis, TN 38116. Builders Transportation Co., LLC may be served with process through its registered agent, CT Corporation System at 300 Montvue Road, Knoxville, TN 37919.

(e) Defendant Adarius Juan Brown, is an adult resident citizen of Montgomery County, Alabama residing at 1504 Gatsby Drive, Montgomery, AL 36106. Adarius Brown was the operator of the commercial vehicle on a public roadway at the time of the incident made the basis of this lawsuit.

(f) John Does I-X inclusive, the true name or capacity of which, whether individual, corporate, associate or otherwise are unknown to plaintiff at this time. Plaintiff therefore sues said defendants by such fictitious names. Plaintiff is informed, believe, and thereon allege that each of the John Does defendants are responsible in some manner for the events and happenings hereinafter referred to which proximately caused Plaintiff to sustain injuries and damages. Plaintiff will amend and insert the exact name and identity of each of the defendant John Does when ascertained.

#### **JURISDICTION AND VENUE**

2. This Court has subject matter jurisdiction pursuant to 28 U.S.C § 1332(a)(1) because this case is a civil action where the matter in controversy exceeds the sum or value of \$75,000, exclusive of interest and costs, and is between citizens of different States.

3. Venue is properly set in this District pursuant to 28 U.S.C. §1391 (b) since one or

more of the Defendants transact business within this judicial district. Likewise, a substantial part of the events giving rise to the claim occurred within this judicial district.

### **FACTUAL ALLEGATIONS**

4. The alleged accident, further described herein, took place on or about December 16, 2020, at approximately 5:56 pm, on Interstate 55 in Carroll County near milepost 17.118.

5. Defendant, Builders Transportation Co., LLC owns the 2020 White Freightliner Cascadia being driven by Defendant Adarius Juan Brown at the time of the subject accident. Further, Defendant, Adarius Juan Brown was acting as an employee of Defendant, Builders Transportation Co., LLC at the time of the subject accident.

6. On or about December 16, 2020, at approximately 5:56 pm, Plaintiff, Sajade Webster, with Plaintiffs, T.S., J.G., and Jimmy Green as passengers, was the operator of a brown 2007 Pontiac Grand Prix, traveling northbound in the left lane on Interstate 55 in Carroll County near mile post 17.118, traveling in the same direction as vehicles being driven by Defendant Adarius Juan Brown, in the right lane of Interstate 55.

7. On the date and time as stated above, as Plaintiff, Sajade Webster was passing Defendant, Adarius Juan Brown's 18 wheeler in her left lane of travel, Defendant, Adarius Brown turned his vehicle into the left lane of travel of Plaintiff's vehicle, thereby forcing Plaintiffs' into the median where it traveled until hitting a bridge abutment, and spinning around several times before coming to its final rest. Defendant, Adarius Juan Brown did not stop his vehicle as required by law, but instead continued to drive until Highway Patrolmen pulled him over in Grenada, Mississippi.

8. As a proximate result of the actions taken by Defendant Adarius Juan Brown, the vehicle being driven collided with the vehicle being driven by Plaintiff Sajade Webster, with

Plaintiffs, T.S., J.G., and Jimmy Green as passengers, causing them to sustain injuries to their person and vehicle.

9. As a proximate result of the actions taken by Defendant Adarius Juan Brown, Plaintiffs sustained injuries for which they had to seek medical treatment.

10. As a direct and proximate result of the injuries Plaintiffs sustained in the December 16, 2020 accident, Plaintiffs has incurred medical expenses for which Plaintiffs are entitled to recover.

**LEGAL ALLEGATIONS**  
**COUNT ONE**

11. The Plaintiffs hereby incorporates by reference and re-alleges the information set forth in paragraphs 1-11, supra.

12. Defendant Adarius Juan Brown and/or other fictitious Defendants wrongfully, recklessly, and/or negligently,

- a. operated the commercial vehicle causing a wreck;
- b. failed to use the knowledge and skills necessary to operate a commercial motor vehicle safely;
- c. failed to use proper visual search methods as required by the Federal and State Motor Carrier Safety Regulations;
- d. failed to use proper speed management as required by the Federal and State Motor Carrier Safety Regulations;
- e. failed to use proper space management techniques as required by the Federal and State Motor Carrier Safety Regulations;
- f. failed to use proper hazard perception techniques as required by the Federal and State Motor Carrier Safety Regulations;
- g. failed to yield the right-of-way;
- h. failed to keep a proper lookout;

- i. failed to take reasonable evasive action to avoid causing a wreck;
- j. violated the Federal and State Motor Carrier Safety Regulations;
- k. violated Mississippi motor vehicle statutes;
- l. violated company policy;
- m. caused and/or contributed to the occurrence made the basis of this lawsuit;
- n. committed other such acts and omissions as will be shown through discovery and proven at the trial of this action; and
- o. failed to immediately stop his vehicle at the scene of the accident or as close thereto as possible, and then forthwith return to and at the scene of the accident until he had fulfilled the requirements of Section 63-3-405; Miss. Code Annotated as Amended.

**COUNT TWO**

13. Plaintiffs incorporate by reference the foregoing paragraphs as if set forth fully herein and further avers that on or about the 16<sup>th</sup> day of December, 2020, on Interstate 55 near mile post 17.118, in Carroll County, Mississippi, Defendant Builders Transportation Co., LLC and/or other fictitious Defendants wrongfully, recklessly, and/or negligently:

- a. operated a commercial carrier with inadequate safety management controls;
- b. entrusted a vehicle to an incompetent driver with knowledge of said driver's incompetence;
- c. hired and selected the operator of the commercial vehicle that was involved in the collision with Sajade Webster, T.S., J.G., and Jimmy Green;
- d. trained the operator of the commercial vehicle was involved in the collision with Sajade Webster, T.S., J.G., and Jimmy Green;
- e. supervised and monitored the operator of the commercial vehicle that was involved in the collision with Sajade Webster, T.S., J.G., and Jimmy Green;
- f. used an unskilled, unknowledgeable, unqualified or disqualified driver;

- g. retained the employment of the operator of the commercial vehicle that was involved in the collision with Sajade Webster, T.S., J.G., and Jimmy Green;
- h. violated the Federal Motor Carrier Safety Regulations;
- i. violated Mississippi motor vehicle statutes;
- j. violated their own company policy;
- k. aided and abetted their employees in the violation of the Federal and State Motor Carrier Safety Regulations;
- l. aided and abetted their employees in the violation of the Mississippi motor vehicle statutes;
- m. conspired with their drivers in order to violate the Federal and State Motor Carrier Safety Regulations;
- n. conspired with their drivers in order to violate the Mississippi motor vehicle statutes;
- o. failed to implement and enforce means to prevent its drivers and equipment from operating unsafely or in violation of applicable laws, regulations and/or rules that a reasonable, prudent motor carrier would have implemented and enforced;
- p. maintained the commercial vehicle, including the equipment thereon, that was involved in the collision with Sajade Webster, T.S., J.G., and Jimmy Green;
- q. failed to ensure that the commercial vehicle that was involved in the collision with Sajade Webster, T.S., J.G., and Jimmy Green had the parts and accessories necessary for safe operation;
- r. inspected the commercial vehicle, including the equipment thereon, that was involved in the collision with Sajade Webster, T.S., J.G., and Jimmy Green;
- s. equipped the commercial vehicle that was involved in the collision with Sajade Webster, T.S., J.G., and Jimmy Green;
- t. caused and/or contributed to the occurrence made the basis of this lawsuit; and
- u. committed other such acts and omissions as will be shown through discovery and proven at the trial of this action.

As a proximate result of Defendant, Builders Transportation Co., LLC negligent supervision, hiring and training, Plaintiffs suffered damages for which Plaintiffs are entitled to an award of compensatory damages.

**VICARIOUS LIABILITY**  
**COUNT THREE**

14. The Plaintiffs hereby incorporate by reference and re-alleges the information set forth in paragraphs 1-13, supra.

15. As a direct and proximate result of the negligence of the Defendant, Adarius Juan Brown, as alleged herein, the Defendant, Builders Transportation Co., LLC is vicariously liable for the damages and claims of Plaintiffs.

**COMPENSATORY DAMAGES**  
**COUNT FOUR**

16. As a further direct and proximate result of the above-described acts/omissions of Defendants, Plaintiffs suffered and experienced excruciating pain, suffering, mental anguish and agony; and on account of the same, Plaintiffs are entitled to recover damages.

**REQUEST FOR RELIEF**

**WHEREFORE**, Plaintiffs bring this action and demand judgment of and from Defendants, jointly and severely in excess of the jurisdictional amount for this Court as compensatory damages; pre-judgment interest on said amount from December 16, 2020, or such other damages as the court finds to be appropriate, and reasonable attorney's fees.

Respectfully submitted this 25th day of January, 2021.

**SAJADE WEBSTER, INDIVIDUALLY AND AS  
NATURAL MOTHER OF MINORS, T.S., AND  
J.G.; AND JIMMY GREEN, PLAINTIFFS**

BY:

  
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